

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Nov 04, 2015

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES TERRY HENRIKSON, a/k/a
James Henricksen, a/k/a Cole Johnson,
a/k/a James Vanderbilt,

Defendant.

No. 2:14-CR-0124-SMJ-1

ORDER


On November 3, 2015, this Court held a hearing in the above-captioned matter to inform Defendant Henrikson, among others, that murder for hire, as defined in 18 U.S.C. § 1958, carries a mandatory minimum penalty of life imprisonment. After the Court explained the significance of this previously undisclosed mandatory minimum penalty, Defendant Henrikson asked to withdraw from his plea agreement. Because Defendant Henrikson was not made aware of the mandatory minimum penalty of life imprisonment prior to entering his guilty plea, the Court finds that he has a fair and just reason for withdrawal. Fed. R. Crim. Proc. 11(d)(2)(B). The Court will issue an amended case management order shortly.

Accordingly, **IT IS HEREBY ORDERED:**

1. The Clerk's Office shall **VACATE** the Order Accepting Guilty Plea and Deferring Acceptance of the Plea Agreement, **ECF No. 474**.
2. The Clerk's Office is directed to **REINSTATE** the following motions: **ECF No. 265; ECF No. 321; ECF No. 324; ECF No. 325; ECF No. 326; ECF No. 327; ECF No. 330; ECF No. 357; ECF No. 373; ECF No. 409; ECF No. 415; ECF No. 416; ECF No. 452**.

IT IS SO ORDERED. The Clerk's Office is directed to enter this Order and provide copies to all counsel.

DATED this 4th day of November 2015.



SALVADOR MENDEZ, JR.
United States District Judge